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**TITLE 312 NATURAL RESOURCES COMMISSION**

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**Notice of Public Hearing**  
LSA Document #10-657**Notice of Public Hearing**

Under [IC 4-22-2-24](#), notice is hereby given that on March 21, 2011, at 6:00 p.m., at the Shircliff Theatre, located at the intersection of Second and Harrison Streets on the campus of Vincennes University, 1002 North First Street, Vincennes, Indiana; **AND** on March 22, 2011, at 1:30 p.m., at the Natural Resources Commission, Division of Hearings, Indiana Government Center North, 100 North Senate Avenue, Room N501, Main Conference Room, Indianapolis, Indiana, the Natural Resources Commission will hold public hearings on proposed amendments to [312 IAC 9-7-3](#) to change the size of catfish that can be taken in a river or stream other than the Ohio River, [312 IAC 9-7-16](#) to establish size and bag limits for catfish taken from the Ohio River, [312 IAC 9-8-2](#) and [312 IAC 9-8-6](#), governing commercial fishing on the Ohio River and all inland waters, by establishing size and bag limits for catfish.

[IC 4-22-2-24\(d\)\(3\)](#) Justification Statement: All requirements or costs by the rule amendments on regulated entities under [IC 4-22-2-24\(d\)\(3\)](#) are reasonably necessary to the Department's responsibility to provide for the protection, reproduction, care, management, survival, and regulation of wild animal populations as required under [IC 14-22-2-3](#). By limiting the number of large (trophy) catfish that can be taken by anglers, catfish will be able to increase recruitment (survival of younger catfish), and ensure continued trophy angling opportunities. Furthermore, because large catfish eat smaller fish, large "trophy" catfish help control the populations of forage species such as gizzard shad. In inland rivers, an unlimited number of blue and flathead catfish can still be taken that are at least 15 inches and less than 35 inches and an unlimited number of channel catfish can be taken that are at least 15 inches and less than 28 inches in length, allowing both sport and commercial anglers to be able to take the number of catfish that are needed for personal consumption. In the Ohio River, an unlimited number of blue and flathead catfish can still be taken that are less than 35 inches, and an unlimited number of channel catfish can be taken that are less than 28 inches, allowing commercial anglers on the Ohio River to take catfish that are needed for sale and allowing sport anglers to take the number needed for personal consumption. They will be allowed to take one of each of these large "trophy" catfish per day. A comprehensive study of catfish taken from the Wabash River was conducted in 2005 indicated that a 15 inch minimum size limit would effectively eliminate any threat of over-fishing (taking out more than can be naturally reproduced) channel catfish. The increased size limit for inland rivers and streams to 15 inches for catfish will provide for the protection of self-sustaining catfish populations. Flathead catfish are sexually mature at three to five years of age, and channel and blue catfish are sexually mature at four to five years of age, making the current 10 inch minimum size limit of little protection for first-year spawning recruits. Since catfish are a popular fish for sport anglers, it is imperative that the DNR provide enough protection of the species to allow for their continued survival and self-sustaining populations. Without a self-sustaining population, anglers would not be able to take the desired number of catfish, and it is costly for the DNR to stock these fish.

Sources of information included the number of commercial fishing license holders obtained from the database of Inland River and Ohio River commercial fishing license holders. The pounds of catfish harvested by commercial fishing license holders were obtained from the reports of commercial fishing license holders for the year of 2008. Other sources included: Donabauer, Steven. Population Dynamics of Flathead, Channel, and Blue Catfish in the Wabash River. 2009. Indiana Department of Natural Resources. Indiana Fish Consumption Advisory. 2010. Indiana Department of Health. U.S. Department of the Interior, Fish and Wildlife Service, and U.S. Department of Commerce, U.S. Census Bureau. 2006 National Survey of Fishing, Hunting and Wildlife-Associated Recreation.

Copies of these rules are now on file at the Indiana Government Center North, 100 North Senate Avenue, Room N501 and Legislative Services Agency, Indiana Government Center North, 100 North Senate Avenue, Room N201, Indianapolis, Indiana and are open for public inspection.

Bryan W. Poynter  
Chairman  
Natural Resources Commission

Posted: 02/02/2011 by Legislative Services Agency  
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